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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,575	01/06/2006	Johannes T.A. Van De Ven	082671-0235	3209

22428 7590 05/09/2008  
FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER
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NGUYEN, DONGHAI D

ART UNIT	PAPER NUMBER
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3729

MAIL DATE	DELIVERY MODE
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05/09/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/563,575	<b>Applicant(s)</b> VAN DE VEN, JOHANNES T.A.	
	<b>Examiner</b> DONGHAI D. NGUYEN	<b>Art Unit</b> 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 16-34 is/are pending in the application.
- 4a) Of the above claim(s) 31-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/6/06</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of Group I, claims 19-39, in the reply filed on March 04, 2008 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Thus, claims 31-34 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

### ***Information Disclosure Statement***

2. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --COMPONENT PLACEMENT DEVICE--.

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Note: the abstract should be modified to reflect the elected invention i.e. component placement device.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by JP Patent to Yoshida et al (Publication Number 2000-091794).

Regarding claim 16, Yoshida et al disclose a component placement device comprising: a holder (53) that includes a passage (400); and a nozzle (54) that includes a duct (47) and that is detachably connected to the holder, wherein the passage is in fluid communication with the duct (see Fig. 2).

Regarding claim 17, Yoshida et al disclose the nozzle (54) is configured to be decoupled from the holder in a radial direction relative to an axis of the duct once a predefined force in radial direction on the nozzle is exceeded (inherence because when the predefined force is larger than the holding force, the only force that couples the nozzle to the holder, the nozzle must be decoupled from the holder, see Fig. 2).

Regarding claim 18, Yoshida et al disclose the nozzle is detachably attached to the holder by means of at least one magnet (41).

Regarding claims 19 and 20, Yoshida et al disclose the holder (53) and the nozzle (54) are axially aligned with each other (see Figs. 3 and 5-6) and have axially engaging elements (44).

6. Claims 16, 19-21 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by JP Patent having Publication No. 04-123,493 to Koyama.

Regarding claim 16, Koyama discloses a component placement device comprising: a holder (21-25) that includes a passage (see Fig. 2); and a nozzle (8) that includes a duct (see Fig. 3) and that is detachably connected to the holder, wherein the passage is in fluid communication with the duct (see Fig. 2).

Regarding claims 19-21, Koyama discloses the holder (21-25) and the nozzle (8) are axially aligned with each other (see Fig. 2) and have axially engaging elements (tip of the holder 21), wherein, the holder has a protrusion (tip of the holder) that extends into the duct of the nozzle, and wherein the passage extends through the protrusion (see Fig. 2).

Regarding claim 30, Koyama discloses the nozzle has a groove (8b) that is provided in a circumferential wall thereof.

7. Claims 16, 17, 19, 20, 22, 26 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 6,931,718 to Isogai et al.

Regarding claim 16, Isogai et al disclose a component placement device comprising: a holder (80) that includes a passage (90); and a nozzle (54) that includes a duct (130) and that is detachably connected to the holder, wherein the passage is in fluid communication with the duct (see Fig. 3).

Regarding claim 17, Isogai et al disclose the nozzle (54) is configured to be decoupled from the holder (80) in a radial direction relative to an axis of the duct once a predefined force in radial direction on the nozzle is exceeded (see Col. 13, lines 23-25 or Col. 27, lines 1-5).

Regarding claims 19 and 20, Isogai et al disclose the holder (80) and the nozzle (54) are axially aligned with each other (see Figs. 3) and have axially engaging elements (96/146).

Regarding claims 22 and 26, Isogai et al disclose the holder (80) comprises at least three radially separated grooves (94) which are radially spaced 120° apart (see Col. 11, lines 35-39).

Regarding claim 30, Isogai et al disclose the nozzle (54) has a groove (140) that is provided in a circumferential wall thereof.

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Isogai et al or Koyama in view of Yoshida et al.

Isogai et al and Koyama do not disclose the nozzle is detachably attached to the holder by means of at least one magnet. Yoshida et al disclose the nozzle (30) is detachably attached to the holder (50) by means of at least one magnet (51, see Fig. 5) for holding the nozzle to the holder (see Abstract). Therefore, it would have been obvious to one having ordinary skill in the art at

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the time the invention was made to modify the invention of either Isogai et al or Koyama by utilized the magnet for holding the nozzle to the holder as taught by Yoshida et al.

10. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Yoshida et al or Isogai et al in view of Koyama.

Both Yoshida and Isogai et al do not teach the holder has a protrusion that extends into the duct of the nozzle, and the passage extends through the protrusion. Koyama teaches the holder (21-25) has a protrusion (tip of the holder) that extends into the duct of the nozzle (8), and wherein the passage extends through the protrusion (see Fig. 2) for aligning and interconnecting the nozzle to the holder (see Abstract). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of either Isogai et al or Yoshida et al by utilized the holder has a protrusion that extends into the duct of the nozzle as taught by Koyama for aligning and interconnecting the nozzle to the holder.

11. Claims 23-25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isogai et al.

Isogai et al disclose the nozzle comprises at least one radially separated groove (144) and the holder comprises at least one radially separated groove (that housing the pin 146) that correspond to the grooves of the nozzle (see Fig. 3). However, Isogai et al do not disclose three grooves are radially spaced 120° apart and spheres are located between the grooves. It would have been an obvious matter of design choice to one having ordinary skill in the art at the time the invention was made to choose a single or multiple recesses and choose a sphere or pin

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located between the recesses, since Applicant has not disclose the specific number of recesses and corresponding spheres, solves any stated problems or for any particular purposes and it appears the invention would perform equally well with a single recess in the holder and nozzle and a pin located between the recess as taught by Isogai et al for aligning the nozzle to the holder and preventing rotation of the nozzle.

12. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Isogai et al, Yoshida et al or Koyama in view of US Patent 4,905,370 to Hineno et al.

Isogai et al, Yoshida et al or do not disclose the duct and/or the passage have/has a filter. Hineno et al teach the duct and/or the passage have/has a filter (35, see Fig. 6) for preventing blockage of the nozzle and contaminating the circuit components (see Col. 12, lines 26-28). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of either Isogai et al, Yoshida et al or Koyama by utilized the filter in the duct and/or passage as taught by Hineno et al for preventing blockage of the nozzle and contaminating the circuit components.

13. Claims 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Isogai et al, Yoshida et al or Koyama in view of JP Patent having Publication No. 10-173397 to Kawase et al.

Isogai et al, Yoshida et al or do not disclose the nozzle includes an identification means. Kawase et al teach the identification means on the nozzle (2) for attaching a predetermined nozzle to the holder (see Abstract). Therefore, it would have been obvious to one having



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ordinary skill in the art at the time the invention was made to modify the invention of either Isogai et al, Yoshida et al or Koyama by utilized the identification means on the nozzle as taught by Kawase et al for attaching the correct/intended nozzle to the holder.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art references cited for their teachings of component placement device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DONGHAI D. NGUYEN whose telephone number is (571)272-4566. The examiner can normally be reached on Monday-Friday (9:00-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter D. Vo can be reached on (571)-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN  
May 7, 2008

/Donghai D. Nguyen/  
Primary Examiner, Art Unit 3729